

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

Cause No. 2:15-cr-04268-JB

DELEON, ET AL.,

Defendants.

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**MOTION FOR COPY OF SEALED TRANSCRIPTS**

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Defendant Billy Garcia, by and through his counsel, Robert R. Cooper, hereby moves for a copy of the currently sealed transcripts of hearings on May 26, 2016 and March 13, 2017 in *US v. Leroy Lucero*, 1:06-cr-02083-JB on the following grounds:

1. Leroy Lucero is an endorsed witness in this matter.
2. Mr. Garcia has a right to question Mr. Lucero about his prior convictions and whether his cooperation was provided based on an expectation that he would receive a benefit in the current case.
3. Mr. Garcia does not object to the redaction of personal identifying information from the transcripts.
4. Randy Castellano is counsel for the United States both in the instant matter and in *US v. Leroy Lucero*, 1:06-cr-02083-JB. He has not responded to a request for his position on this Motion.
5. Gregg Fallick, counsel for Leroy Lucero, opposes this Motion.

6. Undersigned counsel has contacted all defendants in the instant matter. Defendants Joe Gallegos, Edward Troup, Allen Patterson, Christopher Chavez, and Arturo Arnulfo Garcia join in this Motion. Defendants Robert Martinez and Roy Paul Martinez take no position. The remainder of the defendants do not oppose this Motion.

WHEREFORE, Defendant Billy Garcia moves for a copy of the currently sealed transcripts of the hearings which took place on May 26, 2016 and March 13, 2017 in *US v. Leroy Lucero*, 1:06-cr-02083-JB.

Respectfully Submitted,

Robert R. Cooper Law Firm

/s/ Robert R. Cooper

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### **CERTIFICATE OF SERVICE**

I hereby certify that on March 9, 2018 I filed the foregoing electronically through the CM/ECF system, which caused all counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Robert R. Cooper

ROBERT R. COOPER